

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LYNX ASSOCIATES, INC.,

Plaintiff,

v.

ASG CONSULTANTS, LTD., et al.,

Defendants.

Civil Action No. 02-CV-2741

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OR,
IN THE ALTERNATIVE, FOR PARTIAL SUMMARY JUDGMENT**

Defendants ASG Consultants, Ltd. ("ASG"), Amar Grewal and Kal Grewal, through their undersigned counsel, respectfully move this Court pursuant to Federal Rule of Civil Procedure 56 for the entry of summary judgment or, in the alternative, partial summary judgment, on Counts One and Three through Nine of Plaintiff Lynx Associates, Inc.'s ("Lynx") First Amended Complaint. In addition, if the Court grants summary judgment, Defendants respectfully move the Court to dismiss the remainder of Plaintiff's Amended Complaint pursuant to Federal Rule of Civil Procedure 12(h) because the Court does not have subject matter jurisdiction over this action. The basis of this Motion is set forth in the accompanying memorandum of law in support of this Motion, which is incorporated herein by reference.

Respectfully submitted,

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Dated: October 13, 2003